

**Listing and Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (previously presented) A method for encoding a macroblock having a plurality of partitions, the method comprising:  
inter-coding at least one of said plurality of partitions; and  
intra-coding at least a second of said plurality of partitions wherein said intra-coding comprises providing a reference picture index that is associated with a weighting factor of zero.
2. (original) A method as defined in Claim 1 wherein said macroblock comprises video data in compliance with the Joint Video Team ("JVT") standard.
3. (original) A method as defined in Claim 1 wherein said macroblock comprises a non-intra macroblock type.
4. (original) A method as defined in Claim 1 wherein said intra-coding comprises non-predictive intra-coding performed within a weighted prediction encoding mode by using a weighting factor of zero with a weighted prediction tool from at least one of the Main and Extended profiles of the JVT standard.
5. (original) A method as defined in Claim 4, further comprising coding a zero differential motion vector for a partition that is non-predictively intra-coded.
6. (original) A method as defined in Claim 1 wherein the inter-coded at least one of said plurality of partitions has a reference picture index associated with a non-zero valued weighting factor.
7. (original) A method as defined in Claim 6, further comprising deciding between inter-coding and non-predictive intra-coding of a partition in response to a measure of cost for each coding method.

8. (original) A method as defined in Claim 1, further comprising:  
associating a plurality of reference picture indices with a particular reference picture store using reference picture reordering commands; and  
assigning a zero weight to one of the plurality of reference picture indices and non-zero weights to the other reference picture indices.

9. (previously presented) A method for encoding a macroblock having at least one partition, the method comprising non-predictively intra-coding the at least one partition by providing a reference picture index that is associated with a weighting factor of zero.

10. (original) A method as defined in Claim 9 wherein said non-predictive intra-coding is performed within a weighted prediction encoding mode by using a weighting factor of zero with a weighted prediction tool from at least one of the Main and Extended profiles of the JVT standard.

11. (previously presented) A video encoder for mixed inter/intra encoding of a macroblock having a plurality of partitions, the encoder comprising:  
a reference picture weighting applicator; and  
a reference picture weighting factor unit in signal communication with the reference picture weighting applicator for assigning weighting factors corresponding to each of the mixed inter and intra coded partitions, respectively.

12. (previously presented) A video encoder as defined in Claim 11, further comprising a motion compensation unit in signal communication with the reference picture weighting applicator for providing at least one each of a motion compensated inter and intra coded partition, respectively.

13. (previously presented) A video encoder as defined in Claim 12, further comprising a reference picture store in signal communication with each of the reference picture weighting factor unit and the motion compensation unit for storing at least one each of a motion compensated inter and intra coded partition, respectively.

14. (original) A video encoder as defined in Claim 12 wherein the reference picture weighting applicator applies a weighting factor selected by the reference picture weighting factor unit to at least one of the motion compensated inter and intra coded partitions, respectively.

15. (original) A video encoder as defined in Claim 14 usable with bi-predictive picture predictors, the encoder further comprising prediction means for forming first and second predictors from the at least one weighted and motion compensated inter/intra coded partition.

16. (original) A video encoder as defined in Claim 11, further comprising: inter-coding means for inter-coding at least one partition of a macroblock; and intra-coding means for intra-coding at least a second partition of the macroblock.

17. (original) A video encoder as defined in Claim 16 wherein said macroblock comprises video data in compliance with the Joint Video Team ("JVT") standard.

18. (original) A video encoder as defined in Claim 16 wherein said macroblock comprises a non-intra macroblock type.

19. (original) A video encoder as defined in Claim 16 wherein said intra-coding means comprises indexing means for providing a reference picture index that is associated with a weighting factor of zero.

20. (original) A video encoder as defined in Claim 16, further comprising non-predictive intra-coding means for coding a zero differential motion vector for a partition that is non-predictively intra-coded.

21. (original) A video encoder as defined in Claim 16 wherein the inter-coded at least one of said plurality of partitions has a reference picture index associated with a non-zero valued weighting factor.

22. (original) A video encoder as defined in Claim 21, further comprising decision means for deciding between inter-coding and non-predictive intra-coding of a partition in response to a measure of cost for each coding method.

23. (original) A video encoder as defined in Claim 16, further comprising:  
reference picture reordering means for associating a plurality of reference picture indices with a particular reference picture store using reference picture reordering commands; and  
weighting means for assigning a zero weight to one of the plurality of reference picture indices and non-zero weights to at least one other reference picture index.

24. (canceled)

25. (canceled)

26. (canceled)

27. (previously presented) An apparatus for encoding a macroblock having a plurality of partitions comprising:  
means for inter-coding at least one of said plurality of partitions; and  
means for intra-coding at least a second of said plurality of partitions,  
wherein said means for intra-coding utilizes a reference picture index that is associated with a weighting factor of zero.